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REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 12 and 21 were previously canceled.

Claim 2 is canceled without prejudice or disclaimer of the subject matter therein.

Claims 3, 5, 6, 9 and 13-20 were withdrawn from further considerations.

Claims 1 and 3 are amended without the introduction of new matter.

Claims 1 and 3-20 are pending.

II. Objection to the Specification

The Specification was objected to because of informalities. In response, the Specification is amended as noted above to address that objection. Accordingly, Applicants respectfully request the withdrawal of the objection to the Specification.

III. Objection to the Drawings

The drawings were objected to because of informalities. Specifically, the Examiner states that "the 'dividing means' (claim 1) must be shown or the feature(s) canceled from the claim(s)." In response, claim 1 is amended to address that objection. Accordingly, Applicants respectfully request the withdrawal of the objection to the drawings on that basis.

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IV. Objection to the Claim

Claim 3 was objected to because of informalities. In response, claim 3 is amended to

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overcome that objection. Accordingly, Applicants respectfully request the withdrawal of the

objection to claim 3 on that basis.

V. Rejections under 35 U.S.C. § 112

Claims 1-4, 7, 8, 10 and 11 were rejected under 35 U.S.C. § 112, second paragraph, as

indefinite. Specifically, the Examiner states that "claim 1 is vague and indefinite in that it is not

clear what the 'dividing means . . .' encompasses to the extent that it is not clear exactly what

structure shown in Figs. 1-5 allows for formation of the divide." In response, claim 1 is amended

to address that rejection. The rejection of claim 2 is most because the claim is canceled by the

present response as noted above. Claim 3 was withdrawn from further consideration as noted

above. Accordingly, Applicants respectfully submit that the rejection of claims 1, 4, 7, 8, 10 and

11 under 35 U.S.C. § 112, second paragraph, is overcome, and request the withdrawal of that

rejection.

VI. Rejections under 35 U.S.C. § 103

Claims 1, 2, 4, 7, 8, 10 and 11 were rejected under 35 U.S.C. §103(a) as unpatentable

over the admitted prior art (e.g., Fig. 7 of the present application) in view of Otsuki et al. (JP 04-

360769, herein "Otsuki"). The rejection of claim 2 is moot because the claim is canceled by the

present response as noted above. Applicants respectfully traverse the above rejection on claims

1, 4, 7, 8, 10 and 11.

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Independent claim 1 is directed to a cutter, and amended to include the following

features.

base material remainder discharging means for discharging the

divided base material remainders in directions away from each other and in

a thickness direction of the member at a predetermined angle to the

discharging direction of the cut-out member.

Referring to the non-limiting embodiment shown in Fig. 3, the base material remainders

(i.e., the trim absorbent bodies 133a and 133c) are pulled in the directions of the arrows (i.e.,

138a, 138c) which point obliquely upward in a thickness direction of the member (i.e., the absorbent

body 23) at a predetermined angle to the discharging direction of the cut-out member. Thus, making

an upper portion of the front edge of the absorbent body 23 a supporting point, the bottom of the front

edge or the absorbent 23 is lifted, and a crack 32 is generated from the bottom of the front edge of the

absorbent body 23. Then, the crack 32 expands along the cutting plane line 29, and the absorbent

body 28 begins to separate as shown in Figs. 4C and 4D. Accordingly, because the base material

discharging means (i.e., the base material discharging mechanism 24) discharges the trim

absorbent bodies 133a, 133c in a thickness direction, the trim absorbent bodies 133a, 133c are

effectively and efficiently separated from the absorbent body 23.

The Examiner acknowledges that the admitted prior art does not teach or suggest the base

material remainder discharging means. Then, the Examiner combines Otsuki with the admitted

prior art to supplement their deficiency.

With respect to Otsuki, as shown in Figs. 5 and 6, the divided base material remainders

are discharged away from each other. In this regard, the base material remainder is not

discharged in a thickness direction of the member 6A at a predetermined angle to the discharging

direction of the cut-out member, as recited in amended claim 1. Thus, a crack is not generated

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from the bottom of the front edge of the member 6A. Accordingly, unlike the present invention

recited in amended claim 1, the base material remainders are not effectively and efficiently

separated from the member 6A. Therefore, Otsuki does not teach or suggest that "base material

remainder discharging means for discharging the divided base material remainders in directions

away from each other and in a thickness direction of the member at a predetermined angle to the

discharging direction of the cut-out member," as recited in amended claim 1.

Accordingly, even if the teachings of the admitted prior art and Otsuki are combined, the

combined teachings of the cited references do not render obvious the features recited in amended

claim 1. Therefore, Applicants respectfully request the withdrawal of the rejection of amended

claim 1 and claims dependent therefrom based on the cited references, either taken individually

or in combination.

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CONCLUSION

In view of the above amendments, Applicants believe the pending application is in

condition for allowance. Accordingly, the Examiner is respectfully requested to pass this

application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone

number indicated below once he has reviewed the proposed amendment if the Examiner believes

any issue can be resolved through either a Supplemental Response or an Examiner's

Amendment.

Dated: October 12, 2006

Respectfully submitted,

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